

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44694 of 2021

Arising Out of PS. Case No.-506 Year-2020 Thana- NAANPUR District- Sitamarhi

RAJA KUMAR S/o Umashankar Prasad Yadav @ Umashankar Rai @ Moti Rai Resident of Ward No. 1, Village- Sandwara, P.S.- Bajpatti, District- 843314

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Nanpur PS case no. 506 of 2020 instituted for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant and having robbed his motorcycle, mobile phone and a cash sum of Rs. 5,000/-.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 08.04.2021. The learned counsel for the petitioner has further submitted that on account of the bad antecedent of the petitioner herein, he has been roped in the present case and that too on the basis of the confessional statement of the co-accused person namely Bipin Kumar who has already been granted bail by this Court. Lastly, it is submitted that no test identification parade has been held till date so as to connect the petitioner with the alleged crime and the looted articles have also not been recovered from the conscious possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no test identification parade has been held till date so as to connect the petitioner with the alleged crime and moreover, no recovery has been made from the conscious possession of the petitioner, as far as the looted articles are concerned, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Nanpur PS case no. 506 of 2020.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

